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11 Attorneys for Defendant

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 BLANCA M. HERNANDEZ-AGUIRRE, )

15 Plaintiff, )

16 v. )

17 NANCY A. BERRYHILL, )  
18 Acting Commissioner of Social Security, )

19 Defendant. )

Case No. 2:18-cv-0006-RFB-GWF

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME  
(FIRST REQUEST)**

20 Defendant Nancy A. Berryhill, Acting Commissioner of Social Security (“Defendant”)  
21 respectfully requests that the Court extend the time for Defendant to file her Cross-Motion to Affirm and  
22 Response to Plaintiff’s Motion for Reversal, due on **August 24, 2018**, by **30 days**, through and including  
23 **September 24, 2018**. This request is made in good faith with no intention to unduly delay the  
24 proceedings.

25 There is good cause for this extension request because counsel for Defendant has workload  
26 issues that preclude filing her cross-motion by August 24, 2018. In particular, counsel for Defendant is

1 currently responsible for performing an extensive range of tasks, such as: drafting briefs and summary  
2 judgment motions (including five due in the next three weeks) in Social Security cases before the district  
3 courts within the Ninth Circuit, negotiating (or litigating) attorney fee matters pursuant to the Equal  
4 Access to Justice Act before the district courts within the Ninth Circuit; drafting a post-hearing brief for  
5 an arbitration proceeding involving the agency and one of the agency's collective bargaining units;  
6 assisting with implementing the terms of the class action settlement reached in *Hart v. Berryhill*  
7 (N.D.Cal. No. 3:15-cv-623-JST); and preparing training materials and conducting presentations for the  
8 agency's Office of Hearing Operations. Counsel for Defendant has also been out of the office for  
9 significant portions of the last two weeks for these presentations to the agency's hearing offices.

10 Counsel for Defendant conferred with Plaintiff's counsel, Joshua Harris by email on August 21,  
11 2018, who has no opposition to this motion.

12 Respectfully submitted this 21st day of August 2018.

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14 DAYLE ELIESON  
United States Attorney

15 /s/ Asim H. Modi  
16 ASIM H. MODI  
Special Assistant United States Attorney

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18 OF COUNSEL:

19 DEBORAH LEE STACHEL  
20 Regional Chief Counsel, Region IX  
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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: 8/22/2018

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